

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DAVID ISAAC GARCIA,

Plaintiff,

v.

No. 16-cv-1407 WJ/SMV

**JASON GARCIA, FNU CHAVIRA,
FNU ALIMON, and JOHN DOE,**

Defendants.

ORDER TO CURE DEFICIENCY

Plaintiff has submitted a civil rights complaint. [Doc. 1]. The Court determines that Plaintiff's submission is deficient because Plaintiff has not paid the \$400 filing fee or filed an Application to Proceed in District Court Without Prepaying Fees or Costs. Plaintiff must cure this deficiency within 30 days from entry of this Order by *either* paying the full \$400 civil filing fee *or* submitting an Application to Proceed in District Court Without Prepaying Fees or Costs including a certified copy of Plaintiff's inmate account statement for the six-month period immediately preceding this filing. *See* 28 U.S.C. § 1915(a)(2). Plaintiff must include the civil action number (16-cv-1407 WJ/SMV) on all papers that he files in this proceeding. Failure to cure the designated deficiency within 30 days from entry of this Order may result in dismissal of this action without further notice.

IT IS THEREFORE ORDERED that within 30 days of entry of this Order, Plaintiff *either* pay the full \$400 civil filing fee *or* submit an Application to Proceed in District Court Without Prepaying Fees or Costs that includes a certified copy of Plaintiff's inmate account statement for the six-month period immediately preceding this filing.

IT IS FURTHER ORDERED that the Clerk is directed to mail to Plaintiff, together with a copy of this order, two copies of an Application to Proceed in District Court Without Prepaying Fees or Costs with instructions.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge